Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

1-CD #2362638

Incident Information

URN: 914-14738-1399-151 | Date: 08/06/14 | Time: 1855

Location: [redacted] Curtis Avenue | City or Station: Long Beach

Bureau/Station/Facility: South/Lakewood Station | Admin. Investigation: ○ YES ◉ NO

Type of Force: Canine Bite

Incident Category: ○ 1 ○ 2 ◉ 3 | Deputy Injury: ○ YES ◉ NO | Suspect Injury ◉ YES ○ NO

☒ Call ☐ Observation ☐ Detail | ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: ◉ YES ○ NO | Person Notified: Lt. T. Weber | Emp: [redacted] | IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Phillippi	Jason		B-1

Sex: ◉ M ○ F | Race: W | Height: 511 | Weight: 220 | Age: [redacted] | Shift: ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Special Enforcement Bureau | Work Assignment (Unit #, Module, etc.): 240K9-9

Individual Force Used: Canine Bite | ◉ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ◉ 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

Rcvd #450 [illegible]

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex: ○ M ○ F | Race: | Height: | Weight: | Age: | Shift: ○ EM ○ Day ○ PM | ○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Individual Force Used: | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

[illegible] 10-7-14

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex: ○ M ○ F | Race: | Height: | Weight: | Age: | Shift: ○ EM ○ Day ○ PM | ○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Individual Force Used: | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ○ 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

Box 1

On Duty Supervisor ☐ Additional Involved Employees

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Hayes	Patrick	N.	Sgt	YES ◉ NO ○	YES ◉ NO ○

Supervisor Completing Investigation

Emp. #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Hayes	Patrick	N.	Sgt	YES ◉ NO ○	YES ◉ NO ○

Watch Commander / Supervising Lieutenant

Emp. #	Last Name	First Name	Middle I.	Rank
[redacted]	Chase	Bruce	D.	Lt

[signature] 9/10/14

Watch Commander / Supervising Lieutenant's Signature: Date

Captain Jack W. Ewell — [signature: J. Ewell]

Unit Commander (Print Name) — Unit Commander's Signature

Copy Provided to Employee by: [redacted] Emp #: — 9-11-14 Date

D 10/27/14

DISCOVERY Use Only
FO# 2362638

☒ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION

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Suspect Information

S 1

Last Name: Perkins | First Name: Evan | Middle Name: Jerry | Armed? Select: Firearm (Handgun)

AKA Last Name: | First Name: | Middle Name:

Sex: (●) Male ( ) Female | Race: W | Age: 29 | Height: 507 | Weight: 165 | D.O.B: 12-28-84 | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 4053-752 | Primary Charge Code: 29800(A)1 PC | Secondary Charge Code: | [redacted]riminal History

Treated on Scene? (●) YES ( ) NO | Name: Capt. Jackson | Unit: L.B. Fire 12 | Phone #:

Hospital Admission? [X] | Rec'd Treatment At: Lakewood Regional | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: Dr. Washington | Address: 3700 E. South Street, Lakewood | Phone #: 562-531-2550

Under Influence: (●) YES ( ) NO | Substance: Other/Unknown | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Date: 08-06-14 | Time: 2052 | [X] Audiotape: | [X] Videotape: | [X] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

9 1 4 - 1 4 7 3 8 - 1 3 9 9 - 1 5 1

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Stoll	Adam	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
S.E.B.	241K9-2	○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Vilander	Dana	R.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
S.E.B.	ESD	○ EM ◉ Day ○ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		[redacted]	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		[redacted]	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]		[redacted]	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ Additional Witness

Supervisor's Report on Use of Force

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Method

- (AW) Arwen
- (BC) Baton: (Control)
- (BI) Baton: (Impact)
- (BF) Bodily Fluids
- (CN) Canine
- (CR) Carotid Restraint
- (CH) Choke Hold
- (CT) Control Holds: (Control Techniques)
- (TT) Control Holds: (Team Takedown)
- (TD) Control Holds: (Takedown)
- (CE) Chemical
- (OC) Chemical Agents (OC Spray)
- (TG) Chemical Agents (Tear Gas)
- (EX) Explosives
- (FH) Firearm (Handgun)
- (FR) Firearm (Rifle)
- (FS) Firearm (Shotgun)
- (FO) Firearm (Other)
- (FB) Flashbang
- (FL) Flashlight
- (OE) Other Weapon: Edged
- (OV) Other Weapon: Vehicle
- (OB) Other Weapon: Blunt Object
- (OO) Other Weapon: Other
- (PK) Personal Weapon: Feet/Leg: (Kick)
- (PS) Personal Weapon: Feet/Leg: (Sweep)
- (PH) Personal Weapon (Hand/Arm)
- (PP) Personal Weapon (Push)
- (PO) Personal Weapon (Other)
- (RS) Resistance
- (RO) Restraint Device (Other)
- (RH) Restraint Device (Handcuffs)
- (HB) Restraint Device: Hobble (Legs Only)
- (TP) Restraint Device: Hobble (TARP)
- (RE) Restraint Device: REACT Belt
- (SP) Sap
- (SH) Shield
- (IR) Less Lethal Impact Round (other)
- (SB) Sting Ball
- (ST) Stun Bag
- (TR) Taser
- (UC) Uncooperative
- (HR) High Risk

Type of Injury

- (AB) Abrasion
- (BR) Bruise
- (BU) Burn
- (CP) Complaint of Pain
- (CO) Concussion
- (DH) Death
- (DI) Dislocation
- (DB) Dog Bite
- (FR) Fractures
- (GS) Gunshot
- (HB) Human Bite
- (LC) Lacerations
- (ND) Nerve Damage
- (OD) Organ Damage
- (PA) Paralysis
- (PW) Puncture Wound
- (SD) Soft Tissue Damage
- (ST) Sprain/Twists
- (UN) Unconscious
- (RM) Refused Med Treatment
- (NN) NONE

Body Part Involved

- (AD) Abdomen
- (AK) Ankle
- (AR) Arm
- (BK) Back
- (BT) Buttocks
- (CH) Chest
- (EL) Elbow
- (FA) Face
- (FE) Feet
- (FI) Fingers
- (GE) Genitals
- (GR) Groin
- (HD) Hands
- (HE) Head
- (HI) Hip
- (IN) Internal
- (KN) Knees
- (LE) Leg
- (NK) Neck
- (NO) Nose
- (SH) Shoulder
- (WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Perkins, Evan	S#1	Phillippi, Jason	E#1	HR	NN	NN
Perkins, Evan	S#1	Phillippi, Jason	E#1	UC	NN	NN
Perkins, Evan	S#1	Phillippi, Jason	E#1	RS	NN	NN
Phillippi, Jason	E#1	Perkins, Evan	S#1	CN	DB	AR

Supervisor's Report on Use of Force

9 1 4 - 1 4 7 3 8 - 1 3 9 9 - 1 5 1

Canine Deployment - Supervisor's Review

Primary Handler: Phillippi, Jason # [redacted] Canine: Max Unit: 240K9-9

Assist Handler: ______ # ______ Canine: ______ Unit: ______

Assist Handler: ______ # ______ Canine: ______ Unit: ______

Assist Handler: ______ # ______ Canine: ______ Unit: ______

TYPE OF SEARCH

☒ Area ☐ Other:

☐ Building

TYPE OF INCIDENT

☒ Bite

☐ Other:

BITE OCCURRED WHILE

☐ Apprehending Suspect

☒ Conducting Search

☐ Protecting Handler

☐ Other:

ANNOUNCEMENTS

☒ Announcements Were Made

☐ None (Reason): ______

Announcement Made by: Deputy Phillippi, Air 21

☒ by Aero Unit

☒ by Radio Car

☒ English

☒ Spanish

☒ Recorded

Criminal History

[redacted]

Notifications

Lieutenant Eric Lindblom, Lakewood Station
Lieutenant Bruce Chase, Special Enforcement Bureau
Captain Jack Ewell, Special Enforcement Bureau
IAB Notification Group, Internal Affairs Bureau
Chief Roberta A. Abner, Homeland Security Division

[redacted]

Suspect Perkins is on [redacted] for [redacted]

On Wednesday, August 6, 2013, Operation Safe Streets (OSS) Detectives M. Landreth #[redacted] and L. Rodriguez #[redacted] were travelling south on Paramount Boulevard approaching Artesia Boulevard in the city of Long Beach. They saw a male white, whom they recognized as Suspect Evan Perkins, in the parking lot of All Star Tire (2735 East Artesia Boulevard). They knew Suspect Perkins had [redacted]

Based upon prior contacts with Suspect Evans, Detective Landreth knew the suspect had a propensity to run from deputies. He began to pre-coordinate units to respond to the area.

Deputies approached the Artesia Boulevard entrance to All Star Tire. They saw Suspect Perkins sitting on the curb in front of the business. Deputies stopped their vehicles and exited to contact Suspect Perkins. Suspect Perkins ran north through the parking lot. As Suspect Perkins ran, he grasped his waistband with his right hand. He continued to run east across Paramount Boulevard as deputies pursued him in their vehicles. Deputies saw Suspect Perkins remove a small black revolver from his waistband with his right hand as he ran. Suspect Perkins was last seen running east on the north side of [redacted] Curtis Avenue, Long Beach. He climbed a fence to the backyard of the location. He was seen still holding the handgun as he ran into the yard.

Detective Rodriguez coordinated with units and set up a containment of the area. She requested aero and K-9 units to assist with the search for Suspect Perkins.

Canine Services Detail responded to assist in the search for the outstanding suspect. Deputy Phillippi and I contacted Deputies Landreth and Rodriguez, who briefed us about the incident. Detective Landreth also told us Suspect Perkins had made statements to others saying if he was contacted by the police he would run from them. He had also made recent statements that he was going to shoot the police if confronted and wasn't going back to prison. We were briefed that Suspect Perkins was a white supremacist gang member, who also has associations with a local Hispanic gang, and had an extensive [redacted] with multiple [redacted]

I approved the deployment of a police service dog to search for the outstanding suspect. The deployment of the canine was approved based upon the following:

-Suspect Perkins fled from uniformed deputies, rather than peacefully submitting to a lawful detention.

- Suspect Perkins was believed to be a gang member and presented a threat to law enforcement and the community by running into a residential neighborhood with a handgun. Members of criminal street gangs often use handguns to commit serious crimes and have also been known to violently resist law enforcement when ultimately confronted with arrest.

- Suspect Perkins hid in a residential area, which gave him the opportunity to conceal himself and carry out an ambush on the law enforcement personnel who were now responsible for locating him.

-The deployment of a police service dog would decrease the chances of a deputy involved shooting and allow for a safer means of locating and detaining Suspect Perkins.

-The use of a police service dog would provide deputies the ability to locate Suspect Perkins from a safer distance, minimizing their exposure while also allowing them to utilize cover and concealment prior to engaging him.

Pre-recorded canine announcements were made via Deputy E. Barragan's #[redacted] vehicle's public address system. Deputy Barragan played announcements east in the alley beginning at Curtis Avenue and the alley north of Artesia boulevard. He continued playing announcements north on Orizaba Avenue, west on 67th Street and south on Curtis Avenue. I parked my patrol vehicle in front of [redacted] and also played pre-recorded canine announcements (this is where the suspect was last seen and four properties from where the suspect was eventually located). Sheriff's Air-21, which was orbiting overhead, played additional canine announcements via their public address system. Ten to fifteen minutes of announcements were played within the contained area. We waited approximately fifteen minutes, with no acknowledgement from the suspect, before starting our canine search. The announcements were broadcast in English and Spanish. These pre-recorded announcements advised that a police service dog was going to be deployed. The announcements instructed the suspect to surrender immediately to the nearest deputy sheriff. The announcements also informed the suspect a police service dog was going to be used to find him and he may be bitten when located. The announcements provided the suspect with ample opportunity to surrender and avoid any contact with the police service dog.

Deputy Phillippi assembled his search team, which included his police service dog, Canine "Max", Deputies D. Vilander #[redacted] A. Stoll #[redacted] and me.

Prior to beginning our search, Air-21 provided the search team with a visual view of the area using the "Downlink" video feed. We used this video overview to see the area where the suspect was last seen and develop our tactical search plan.

Deputy Phillippi developed a tactical plan to begin the search at the property where Suspect Perkins was last seen. Prior to deploying the canine, Deputy Phillippi made several additional verbal canine announcements advising the suspect to surrender. There was no response from Suspect Perkins. We searched the yards continuing north on Curtis Avenue.

As we searched the yards, we contacted residents at each house to ensure they were safe and to ascertain if they had observed the suspect. Residents at [redacted] Curtis Avenue told us there were several children home alone in the rear residence of the

property. We contacted and evacuated the children to the front of the property, where they were reunited with family members. Deputy Phillippi used his dog to search the area between the front and rear houses on the property. Access to the back yard was along the south side of the house. The walkway along the house was about 35-40 feet deep and about 4-5 feet wide. The length of the walkway was bordered by the wall of the house and a fence. This presented a long and confined area which would be dangerous for deputies to pass through should a shooting occur between deputies and the suspect. Deputy Phillippi made several verbal announcements advising the suspect of our presence and our intentions to deploy a police dog. Deputy Phillippi waited about ten seconds and there was no response from anyone. Deputy Phillippi sent his dog down the walkway and into the backyard to search for the suspect. The back yard was to the north of the walkway. The search team maintained their position of cover from the south west corner of the house. Deputy Phillippi heard his dog involved in a struggle and then he heard a male yell out. Believing the dog had now likely engaged the suspect, the search team was able to use this opportunity to move with a greater degree of safety down the narrow walkway.

Once we reached the back corner of the house, Deputy Phillippi saw his dog had set a bite on the suspect's left arm and was pulling him out of a trash can. The trash can fell over as the suspect was pulled out of it. Deputy Phillippi could then see the suspect's hands were free of any weapons, and far enough away from any potential weapons, as he was pulled from the rubbish on the ground. We moved up to him, where Deputy Phillippi immediately took physical control of his dog and directed him to release his bite. Dep. Stoll then took physical control of the suspect and flex cuffed him without further incident.

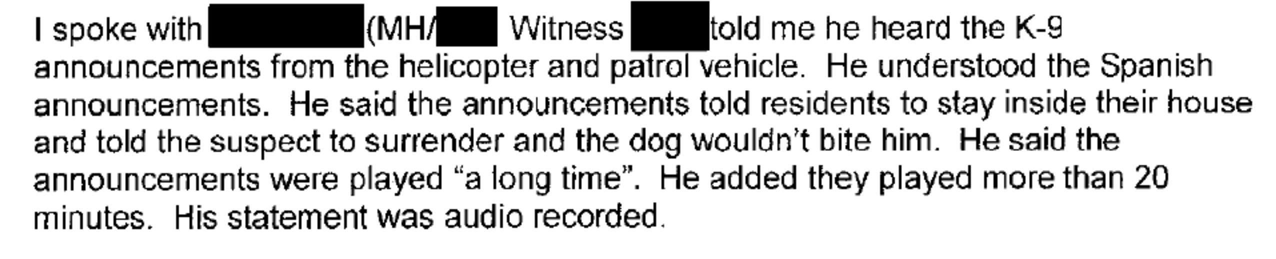
Suspect Perkins sustained canine rakes and punctures to his left bicep. Suspect Perkins was approximately 30-40 feet away from the search team when located and bitten by canine Max. The duration of the bite was approximately 20-25 seconds.

Suspect Perkins was positively identified by Detectives Landreth and Rodriguez as the suspect who was armed with a handgun and fled from them.

Emergency Services Detail Paramedic Deputy Vilander was on scene and gave initial treatment to Suspect Perkins for his injuries and then was assisted by Long Beach City Fire Paramedics from Station #12, under the direction of Capt. Jackson. Suspect Perkins had the single canine bite wound to his left bicep, as well as minor abrasions just below both knees. He was transported to Lakewood Regional Medical Center, where he was further evaluated and treated for his injuries under the direction of Dr. Washington. Dr. Washington admitted Suspect Perkins to the hospital for further evaluation of the bite to his arm and he later received surgery for repair of a torn bicep muscle.

Lakewood Station Watch Commander, Lieutenant Eric Lindblom #[redacted] Canine Services Detail Lieutenant Bruce Chase #[redacted] and the Internal Affairs Bureau Lieutenant T. Weber #[redacted] were notified of the incident.

WITNESS INTERVIEWS



I spoke with [redacted] (MH/[redacted] Witness [redacted] told me he heard the K-9 announcements from the helicopter and patrol vehicle. He understood the Spanish announcements. He said the announcements told residents to stay inside their house and told the suspect to surrender and the dog wouldn't bite him. He said the announcements were played "a long time". He added they played more than 20 minutes. His statement was audio recorded.

I spoke with [redacted] (MH/[redacted] Witness [redacted] told me he heard the announcements from the helicopter and patrol vehicle but understood it best from the helicopter. He said the announcements were in English and Spanish. He said they told the suspect to surrender and he would not be harmed and a dog was going to be used. He heard about 5 or 6 announcements played over 5 to 10 minutes. The interview was audio recorded.

I spoke with [redacted] (FH/[redacted] Witness [redacted] told me she heard the announcements in English and Spanish from the helicopter first and then from the patrol vehicle. She said the patrol vehicle stopped and played announcements at the corner of 67th Street and Curtis Avenue. The announcements said to stay in the house because deputies were searching for somebody and were going to use dogs in the search. Her statement was audio recorded.

I spoke to Doctor Washington and she told me Suspect Perkins injuries were consistent with a dog bite.

SUSPECT STATEMENTS

Suspect Perkins was initially interviewed at the scene immediately after his detention. I asked Suspect Perkins why he didn't surrender when we made the announcements. He told me he had fallen asleep and fainted as he hid in the trash can. He said he was scared and dehydrated, which caused him to faint. I asked him if he had been using any drugs and he replied, "Yea." The interview was audio recorded.

On August 6, 2014, at approximately 2052 hours, I conducted a video recorded interview with the suspect at Lakewood Regional Medical Center. Suspect Perkins provided his name and date of birth to me. When I initially asked Suspect Perkins what happened when the dog found him he told me he had a right to remain silent. I advised him I was not conducting a criminal investigation and was only conducting an administrative investigation. I asked him if he heard the announcements from the helicopter and he told me he didn't hear the announcements because it was hot inside the trash can and he passed out for a few hours. He said the dog bit him only on the left bicep. He said the dog woke him up, he said "I surrender" and put his hands up and then the dog was "sic'd" on him anyway. The dog "drug" him out of the trash can and "around the yard." He denied having a handgun and said he only had a phone. He also denied running from the police. He also denied using any drugs earlier that day, despite

having said one of the reasons he had passed out in the trashcan was because of using drugs when I first interviewed him after he was apprehended.

I concluded the interview and photographed his injuries.

CONCLUSION

This force incident occurred as a result of the suspect's actions and decisions. The suspect fled from uniformed deputies while armed with a handgun, rather than submit to a lawful detention. Numerous canine announcements were loudly broadcast in the area where the suspect was eventually located. Los Angeles County Sheriff's deputies were in the area for a prolonged period of time, with a Sheriff's helicopter circling continually overhead. Additional verbal announcements, ordering the suspect to surrender, were also made within close proximity of the suspect's hiding place, giving him numerous opportunities to surrender to deputies. The deployment of the police service dog to search for and apprehend Suspect Perkins was reasonable for the safety of the deputies and the community and to help prevent an escalation of force.

When interviewed at the hospital, Suspect Perkins said the dog woke him up, but then alleged he was bitten and dragged around the yard after he told deputies he wanted to surrender. However, the search team was actually positioned to take advantage of cover and distance when Max first located the suspect, around the corner, out of direct line of sight of the suspect. The bite hold Max took on the suspect is consistent with the canine engaging him as he lifted up the lid and started to exit. If he had already been exposed and was simply placing his hands out to surrender, it would have been much more likely that he would have been bitten on a forearm. It is quite possible that the suspect had decided to exit the trash can once he realized the dog had discovered him, and even might have spoken directly to the dog when he said, "I surrender." But the dog would have reacted properly as trained to the suspect's movement, not being at liberty to decide whether or not the suspect might now suddenly want to surrender, rather than aggress the dog or the search team and/or attempt to flee again.

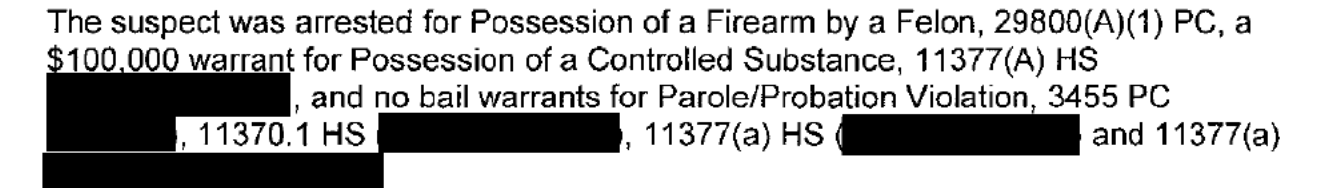
Because the dog is trained to bite and hold and the suspect is slight in stature, with little muscle tone, the injury is consistent with the deputies' version of events, as Max would have been able to pull the suspect entirely out of the can and onto the ground merely by his hold on the bicep, particularly if the suspect was trying to pull away. Suspect Perkins also described being "dragged around" by the dog. However, the area was extremely confined and would not have allowed for the dog to pull Suspect Perkins any significant distance. Also, given the suspect's small size, if Max had dragged him any significant distance, a much more open, aggravated wound would have been expected, as well as scraping across the tops of his knees, rather than the scrapes he had below the knees, which were more consistent with scraping them on walls or other hard objects while initially fleeing.

The credibility of the suspect is further called into question by other factors as well. He denied carrying a weapon, but also denied fleeing from deputies in the first place. He

initially admitted earlier drug use but recanted and denied drug use on the subsequent interview. He had also failed to appear as promised on multiple prior occasions, having multiple felony warrants for his arrest at the time of this incident. He has an extensive prior criminal history and is a documented white supremacist gang member. He has numerous gang related tattoos on most of his body. These tattoos include "Fuck Cops" on his left hand, the letter "8" on both shins, "Blue eyed Devil" on his collar, and "Skinhead" across his abdomen. The number "8" is a white supremacist gang tattoo that stands for the eighth letter of the alphabet "H" and "Heil Hitler."

It is apparent that had the suspect simply made his presence known and surrendered peacefully at any point prior to the deployment of the canine down the walkway where he was hiding, he would not have come in contact with the police service dog.

CHARGES



The suspect was arrested for Possession of a Firearm by a Felon, 29800(A)(1) PC, a $100,000 warrant for Possession of a Controlled Substance, 11377(A) HS [redacted], and no bail warrants for Parole/Probation Violation, 3455 PC [redacted], 11370.1 HS [redacted], 11377(a) HS [redacted] and 11377(a) [redacted]

The D.A subsequently filed a felony count of Possession of a Firearm by a Felon, 29800(A)(1) PC, along with a felony count of Possession of a Controlled Substance for Sales, 11378 HS, [redacted]